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FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Report of the Secretary-General as requested by the General Assembly in resolution 47/235

INTRODUCTION

1. By paragraph 1 of its resolution 808 (1993) of 22 February 1993, the Security Council decided that "an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991".

2. On 3 May 1993 the Secretary-General submitted a report to the Council (S/25704) on all aspects of this matter as requested in paragraph 2 of that resolution. The report included specific proposals for the effective and expeditious implementation of the decision to establish the International Tribunal. A provisional estimate ($31.2 million) of the cost of those proposals for the first full year of operation of the International Tribunal was provided subsequently in document S/25704/Add.1.

3. By its resolution 827 (1993) of 25 May 1993, the Security Council, acting under Chapter VII of the Charter of the United Nations, approved the report of the Secretary-General, decided to establish the International Tribunal and adopted its statute. The Security Council also decided that the seat of the International Tribunal would be at The Hague, subject to the conclusion of appropriate arrangements between the United Nations and the Government of the Netherlands that would be acceptable to the Council, but that the Tribunal might sit elsewhere when it considered it necessary for the efficient exercise of its

functions. The Council further requested the Secretary-General to implement urgently the resolution and, in particular, to make practical arrangements for the effective functioning of the Tribunal at the earliest time.

4. Consequently, on 3 June 1993, a letter was sent to the permanent representatives of all States Members of the United Nations inviting nominations for judges of the Tribunal. In response also to the request of the Security Council to implement its resolution 827 (1993) urgently, on 2 July 1993, the Secretary-General sought the concurrence of the Advisory Committee on Administrative and Budgetary Questions to enter into commitments under the terms of General Assembly resolution 46/187 of 20 December 1991, entitled "Unforeseen and extraordinary expenses for the biennium 1992-1993" in order to provide for the anticipated initial expenses of the Tribunal in 1993.

5. The Advisory Committee, in its report (A/47/980), brought to the attention of the General Assembly that it had considered a request from the Secretary-General on the financing of the Tribunal in 1993. The Committee, however, noted in its report that the General Assembly had not taken a decision on the nature of the financing of the International Tribunal and it had therefore requested the Secretary-General to submit a report on the requirements of the Tribunal to the General Assembly at its forty-eighth session based on such decisions as the Assembly might take on the matter at its resumed forty-seventh session. In the meantime, the Advisory Committee granted the Secretary-General the authority to enter into commitments in an amount not to exceed $500,000 for the immediate and urgent requirements of the Tribunal.

6. On 14 September 1993 the General Assembly adopted resolution 47/235 in which it endorsed the observations and recommendations of the Advisory Committee and requested the Secretary-General to present, during the forty-eighth session of the General Assembly and before 31 December 1993, detailed cost estimates for the International Tribunal, separate from the proposed regular budget for the biennium 1994-1995, to be financed by assessed contributions and, pending a final decision on the manner of the apportionment of the expenses of the International Tribunal, to finance its activities through a separate account outside the regular budget. In addition, the Assembly invited Member States and other interested parties to make voluntary contributions to the International Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General. A trust fund for that purpose has been established by the Secretary-General, and to date pledges amount to $3 million.

I. PROPOSED ORGANIZATION OF THE INTERNATIONAL TRIBUNAL

7. In accordance with the statute adopted by the Security Council in its resolution 827 (1993), the International Tribunal consists of three chambers (two trial chambers and an appeals chamber), a prosecutor and a registry. Since it is envisaged that the Tribunal would not be fully operational during the biennium 1994-1995, for purposes of the present report, it is assumed that only one courtroom will be required in the biennium 1994-1995.

8. On 17 September 1993, the General Assembly elected 11 judges to serve on the Tribunal for a four-year term. In accordance with the statute, they would

be eligible for re-election and their terms and conditions of service would correspond to those of the Judges of the International Court of Justice (ICJ).

9. On 21 October 1993, the Security Council, having regard to article 16 (4) of the statute of the International Tribunal, unanimously adopted resolution 877 (1993), by which it appointed a Prosecutor and thus completed the process of forming the International Tribunal. In accordance with article 16 (4) of the statute, the Prosecutor will serve for a four-year term and be eligible for reappointment, and his terms and conditions of service will be those of an under-secretary-general of the United Nations Secretariat.

10. The Office of the Prosecutor, which would act independently as a separate organ of the Tribunal, would be responsible for all investigations and prosecutions of persons responsible for serious violations of international humanitarian law, covered under articles 2 to 5 of the statute, committed in the territory of the former Yugoslavia since 1991. The Office would include an investigation unit and a prosecution unit, the staff of which would be appointed by the Secretary-General on the recommendation of the Prosecutor.

11. In accordance with its statute, the Registry, which would be responsible for servicing the Tribunal, would be headed by a Registrar at the level of assistant secretary-general who will be appointed for a four-year term by the Secretary-General after consultation with the President of the International Tribunal. The Registrar, who would be eligible for reappointment, would also be responsible for public information and external relations of the Tribunal, preparation of minutes of meetings, conference-servicing facilities, printing and publication of documents and all administrative, budgetary and personnel matters. The staff of the Registry would be appointed by the Secretary-General on the recommendation of the Registrar.

II. ACTIVITIES OF THE INTERNATIONAL TRIBUNAL IN 1993

12. Following the election of the 11 judges on 17 September 1993, their four-year term commenced on 17 November 1993 when they held their inaugural meeting at the Peace Palace in The Hague. They are scheduled to continue meeting until 30 November 1993. During its inaugural meeting, the Tribunal elected its President (Mr. Antonio Cassese of Italy) and a Vice-President (Ms. Elizabeth Odio-Benito of Costa Rica), determined the membership of its Chambers and undertook a preliminary consideration of rules of procedure and evidence and discussed future working arrangements. The Tribunal has scheduled its second and third meetings to take place in The Hague from 17 January to 4 February 1994 and from 11 to 22 April 1994. During recesses, the judges would continue to examine the rules of procedure and evidence individually and in working groups.

13. On the basis of the timetable estimated for the election of the judges, the Secretary-General, in the formulation of his provisional estimates of $31.2 million for the first full year of operation of the Tribunal, made a number of assumptions that have been overtaken by events, further discussions between the Government of the Netherlands and the United Nations, updated

information and further assessment of the operation of the Tribunal. The estimates have therefore been revised in the light of current information.

14. In formulating the provisional estimates for the Tribunal, it was assumed that an acting Registrar and a skeleton staff of the Registry would be engaged for the period 1 August to 31 December 1993 to undertake the initial steps towards organizing the administrative, budgetary and personnel matters of the Tribunal on an interim basis until a Registrar was appointed by the Secretary-General. In view of time constraints in making appropriate arrangements for the permanent seat of the Tribunal, ad hoc arrangements were made for the holding of the inaugural meeting of the Tribunal on 17 November 1993 and the presence of a very limited secretariat until the end of November 1993. Pending conclusion of discussions with the Government of the Netherlands, the provisional estimates made no provision for rental of premises and therefore no commitment authority was sought from the Advisory Committee on Administrative and Budgetary Questions for that purpose. Based on the actual situation in 1993, revised estimates of costs arising in 1993 amount to $450,800 compared to the Secretary-General's initial estimate of $1,568,500 presented to the Advisory Committee on Administrative and Budgetary Questions on 2 July 1993. They are explained below and are summarized in paragraph 22.

15. As indicated in paragraph 8 above, the statute of the International Tribunal provides that the terms and conditions of service of the judges shall be those of the Judges of ICJ. Accordingly, in a separate report to the General Assembly (A/C.5/48/36), the Secretary-General is proposing that the conditions of service approved for the members of ICJ by the General Assembly in its resolution 45/250 be applied to the judges of the Tribunal in addition to those set out in General Assembly resolution 37/240 regarding travel and subsistence. In the same report, the Secretary-General indicates that adjustments in the conditions of service and compensation for members of ICJ are being proposed at the forty-eighth session of the General Assembly and that, in the event that the Assembly approves changes in these elements, such changes should also apply to the members of the Tribunal. The estimates that follow are based on these proposals.

A. The Chambers

16. In respect of requirements relating to the judges, as set forth in article 13 (4) of the statute of the Tribunal, the terms and conditions of service of the judges shall be the same as those of ICJ. Accordingly, they will be paid an all-inclusive ad hoc daily rate of one three-hundred-and-sixty-fifth of the annual salary applicable to the Judges of ICJ for the period 17 November to 31 December 1993. In addition, the President of the Tribunal will be paid an allowance equivalent to that paid to the President of the Court, prorated for the 45-day period. On that basis, $198,500 will be required to cover the salaries and allowances of the President and 10 judges up to 31 December 1993.

17. Travel and subsistence regulations for the judges of the International Tribunal are proposed to be the same as those applicable to ICJ. Pending authorization by the General Assembly to apply those standards to the Tribunal, however, round-trip travel to the inaugural meeting was estimated at

approximately $85,400, based on application of General Assembly resolution 42/214 of 21 December 1987.

B. The Prosecution

18. The Prosecutor was appointed on 21 October 1993 and is expected to take up his duties formally before the end of 1993. In the light of this, estimates relating to the Prosecution include provision of $6,100 for travel costs to attend the inaugural meeting of the Tribunal and $28,500 under general temporary assistance to cover the salary of the Prosecutor, one P-5 Assistant and one General Service secretary for one month in 1993.

C. The Registry

19. In order to service the inaugural session of the Tribunal, a small temporary secretariat has been established. It consists of a Secretary of the Tribunal (D-1), a Legal Officer (P-3), four General Service secretaries and two Security Guards. The D-1 staff is on non-reimbursable loan from the Office of Legal Affairs. Costs are, however, expected to be incurred under general temporary assistance in the amount of $22,600 for the other temporary staff as well as $13,100 to cover travel and daily subsistence allowances. The working languages of the Tribunal are English and French. Provision has therefore been made for three teams of interpreters in each of those languages for 10 days of meetings at a cost of $25,200, with an additional $10,000 for contractual translation services.

20. In view of the fact that permanent office space for the Tribunal has not as yet been identified, temporary meeting space was rented in The Hague, at the site of the Permanent Court of Arbitration in the Peace Palace for the period 15 to 30 November 1993. Requirements of $35,200 are proposed to cover the cost of renting the meeting rooms and office space. In addition $4,000 is required for communications and the rental of a facsimile machine, photocopier and three personal computers with printers.

21. During 1993, other costs associated with the establishment of the Tribunal consisted of two planning missions ($10,400) undertaken by staff members of the Office of General Services and the Office of Legal Affairs to review possible office locations. General temporary assistance requirements ($11,800) at the Professional level also arose to make the administrative and budgetary arrangements for establishment of the Tribunal.

D. Summary of 1993 requirements

22. On the basis of the activities described in paragraphs 12 to 21 above, the requirements of the Tribunal during 1993 are estimated at $450,800, as summarized in the following table:

Table 1

REQUIREMENTS DURING THE BIENNIUM 1992-1993

(Thousands of United States dollars at 1993 rates)

(a)	The Chambers	
	Salaries and allowances of judges	198.5
	Travel of judges	85.4
	Subtotal	283.9
(b)	The Prosecution	
	General temporary assistance	28.5
	Travel of staff	6.1
	Subtotal	34.6
(c)	The Registry	
	Temporary assistance for meetings	25.2
	General temporary assistance	34.4
	Travel of staff	23.5
	Subtotal	83.1
(d)	Programme support	
	Contractual translation services	10.0
	Rental of furnished premises	35.2
	Communications	1.5
	Rental of furniture and equipment	2.5
	Subtotal	49.2
	Grand total	450.8

III. ACTIVITIES OF THE INTERNATIONAL TRIBUNAL IN 1994-1995

23. A provisional estimate of $31.2 million for the cost of the first full year of operation of the Tribunal was provided in document S/25704/Add.1. The proposals discussed below provide estimates for requirements for the biennium 1994-1995. The estimates have been arrived at following a reassessment of the operations of the Tribunal, further discussions with representatives of the Government of the Netherlands and updated information.

A. The Chambers

24. Following the organization of their work and discussion of procedural matters in 1993, it is envisaged that the judges would, in the biennium 1994-1995, continue the formulation of the rules of procedure and evidence of the Tribunal and, from indications given, they wish to take up cases as soon as possible. To this end, they have opened a dialogue with the Prosecutor and with the Chairman of the Commission of Experts established pursuant to Security Council resolution 780 (1992), with a view to the early transfer of the materials of the Commission to the Prosecutor so as to accelerate the work of the Prosecutor.

Salaries and allowances of judges

25. The total requirements under this heading ($3,238,800) would provide for the salaries ($3,190,000) and allowances ($48,800) of judges of the Tribunal, on the basis of the current entitlements of Judges of ICJ. The estimates are considered provisional, pending action to be taken by the General Assembly on the terms and conditions of service of the Judges of ICJ, which is scheduled for its triennial comprehensive review, since as set forth in article 13 (4) of the statute of the Tribunal, the terms and conditions of service of judges of the Tribunal are to be the same as those of ICJ.

Common cost of judges

26. Requirements estimated at $531,200 would provide for travel on appointment ($74,100), installation allowance ($72,900) and household removals ($173,400) for eight judges in 1994 (including eight relatives and five children), education grant requirements during the biennium for an estimated five children ($102,400) and home-leave entitlements for eight judges, eight relatives and five children in 1995 ($108,400). The estimates are arrived at on the assumption that 8 of the 11 judges will take up residence at the seat of the Tribunal and in application of the travel and subsistence regulations relating to members of ICJ as adopted by the General Assembly in its resolution 37/240. No provision has been made for pensions, death benefits or the cost of relocation on completion of service.

Consultants and experts

27. Requirements of $50,000 are proposed to provide for the payment of experts who may render advisory opinions or expert advice on evidence brought before the Tribunal.

Temporary posts

28. Provision for temporary posts would cover the salaries and common staff costs ($598,800) of six General Service staff who would provide secretarial services to the judges during the biennium (1 for the President and 5 to be shared amongst the other 10 judges).

Travel on official business

29. The estimated requirements ($21,200) would cover the travel of the President of the Tribunal to Headquarters once each year for consultations and for attendance at the General Assembly.

B. The Prosecution

30. In its resolution 827 (1993), the Security Council considered that "pending the appointment of the Prosecutor of the International Tribunal, the Commission of Experts established pursuant to resolution 780 (1992) should continue on an urgent basis the collection of information relating to evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law as proposed in its interim report (S/25274)". In carrying out this work during 1993, the Commission has had access to information gathered within the Centre for Human Rights, especially from the Special Rapporteur appointed by the Commission on Human Rights to investigate at first hand the situation of human rights in the territory of the former Yugoslavia. The Commission of Experts has considered reports of alleged war crimes from various other sources and has organized field missions within the territory of the former Yugoslavia to gather photographic evidence and other pertinent information. A computerized database of its findings has been established.

31. One of the initial activities envisaged to be carried out by the Prosecutor, therefore, would be obtaining information and data from the Commission. In view of the number of allegations already recorded by the Commission of Experts, it is considered that the workload involved in verifying, documenting and evaluating evidence by the Office of the Prosecutor may necessitate additional staff and services at various times during the biennium. It is anticipated that these will be provided voluntarily by Member States in response to the invitation contained in paragraph 7 of General Assembly resolution 47/235 hence the Secretary-General limits his staffing proposal for the Prosecution to a total of 67 staff.

Temporary posts

32. As indicated in paragraph 10 above, it is envisaged that the Office of the Prosecutor would include a prosecution unit and an investigation unit. In that regard, it is foreseen that organization of the work of the Investigation and Prosecutorial Units of the Office of the Prosecutor would begin early in 1994. Accordingly, staff resources of the Office are proposed to consist of a core staffing table of the Prosecutor (under-secretary-general), a Deputy Prosecutor (D-2), 19 prosecutors (1 D-1, 4 P-5, 6 P-4, 4 P-3 and 4 P-2), 22 investigators (1 D-1, 6 P-5, 6 P-4, 5 P-3 and 4 P-2), 1 Special Assistant to the Prosecutor (P-5), 1 Information Officer (P-4), 1 Programmer/Analyst (P-3) and 21 General Service staff, 1 of whom would be at the principal level as secretary to the Prosecutor and the other 20 would carry out secretarial and other clerical functions for the prosecutors and investigators. Details of the proposed staffing of the Prosecution is attached in annex I.

General temporary assistance and overtime

33. Requirements under this heading ($158,500) would provide for: (a) general temporary assistance resources for replacements in the Office of the Prosecutor during periods of extended sick or maternity leave ($50,100); (b) six work-months of general temporary assistance at the P-4 level in Geneva in 1994, in connection with the database transfer and maintenance of data gathered by the Commission of Experts ($65,400); and (c) $43,000 to meet overtime and night differential requirements that would arise.

Experts/consultants

34. Requirements ($100,000) for the payment of experts are expected to arise for expert advice on evidence brought before the Tribunal.

Travel of witnesses

35. The number of persons who would be brought to trial and the number of victims or witnesses who would be required to travel to the site of the Trial Chamber to give evidence cannot be determined at this stage. Nevertheless, it is considered prudent to request a provision of $244,400 for the travel expenses of approximately 100 persons who would fall in the categories of victims and witnesses.

Travel of staff

36. In order to effect the orderly transition of the Commission to the Prosecutor, as envisaged by the Security Council in resolution 827 (1993), the Prosecutor is expected as a priority to meet with the Commission of Experts and arrange for the eventual transfer of information and data to the seat of the Tribunal. It is proposed that a provision $6,500 be made for an estimated three trips between The Hague and Geneva for that purpose. Other requirements under this heading ($101,400) that are expected to arise relate to investigations and evidence-gathering activities of the Prosecutor's office, which would require extensive travel between the seat of the Tribunal and the territory of the former Yugoslavia or other locations of witnesses.

Data-processing services

37. Provision for contractual data-processing services is proposed in connection with the database transfer and maintenance of data gathered by the Commission of Experts at an estimated $60,000 during the biennium.

C. The Registry

38. As indicated in paragraph 14 above, the Registrar is to be appointed by the Secretary-General after consultation with the President of the International Tribunal. In view of the envisaged nature of the operation of the Tribunal, it is considered that the Registry would provide the legal, diplomatic and other technical support for the Tribunal. It would also be responsible for all administrative work of the Tribunal, in relation to its financial and accounting

administration, archives and distribution services, conference and public information services, documents and library services and security services.

Temporary posts

39. The estimated total staffing of the Tribunal (excluding the 11 judges) would be 108 in 1994 and 164 in 1995, the increase being due to conference-servicing staff who would be required as of 1995. That level of staffing is expected to be supplemented during peak workload periods of the Tribunal. In view of the anticipated activities of the Tribunal, it is proposed that, in addition to the Registrar, who would be at the assistant secretary-general level, 10 Professional staff be appointed to the Registry, comprising a Chief of Administration (P-5), three Legal Officers (P-5), one Chief of Security (P-4), one Personnel Officer (P-4), one Budget/Finance Officer (P-4), one Buildings Management Officer (P-4), one Purchase and Transportation Officer (P-3) and one Computer Operations Officer (P-3). Staff in the General Service and other categories are also proposed to consist of 12 General Service clerical and secretarial staff for various functions and 12 Security Guards, 4 of whom would also function as chauffeurs.

Temporary assistance for meetings

40. It is expected that the Tribunal's proceedings would require simultaneous interpretation and translation services in English, French and Serbo-Croat and the publication of documentation in English and French. On the basis of two sessions each day for 150 days in one Trial Chamber and publication of an estimated 5,000 pages of documentation, it is estimated that 28 Professional and 28 General Service conference-servicing staff would be required in 1995 as listed in annex II. Consequently, an amount of $4,453,000 is requested under temporary assistance for meetings.

General temporary assistance and overtime

41. It is estimated that, when the Tribunal begins its deliberations, additional staff would be required. In the interests of economy and flexibility, it is proposed that provision of $1,487,700 be made under general temporary assistance for an additional nine staff in the General Service category who would serve as Court reporters, stenotypists and Court Officers/Ushers and 20 Security Guards. Requirements for overtime and night differential costs are also expected to arise during those periods, for which resources of $46,500 are proposed.

Personal service contracts

42. Conscious of the international community's demand for urgent action, it is expected that the deliberations of the Tribunal would attract great media attention. It is therefore proposed to provide $282,300 to cover special service agreements of audio/video technicians for approximately 150 days in 1995.

Travel of staff

43. The estimated requirements ($21,200) would cover the travel of the Registrar to Headquarters once each year for consultations and for attendance at sessions of the General Assembly.

Hospitality

44. In view of the interest and expectations created by the establishment of the Tribunal, the provision under this heading ($10,000) would cover the hospitality requirements of the President and judges of the Tribunal during meetings, visits by officials of Governments and international organizations to the seat of the Tribunal.

D. The Defence Counsel

45. For those defendants who are brought before the Tribunal who are unable to provide their own lawyers, it is foreseen that they would have to be provided with Defence Counsels. Accordingly it is proposed to provide for a Defence Counsel and related staff. Such functions would not be required until the Prosecutor has had sufficient time to gather and evaluate evidence and begin the preparation of indictments and, in any case, are not anticipated to be needed early in 1994. Although the number of indictments and the timing of the trials are unknown at this time, it is proposed to provide resources, as set out below.

General temporary assistance

46. In order to afford the Tribunal the flexibility to meet its staffing needs for defence counsel and support staff in the most timely and economical manner, requirements ($1,400,900) are proposed under general temporary assistance to provide for 10 Professional posts at the P-5 level and 3 at the General Service level in 1995.

Travel of accused

47. A provisional amount of $50,000 is proposed to cover the travel of accused as the number of accused who would be brought to trial before the Tribunal is unknown at this time.

E. Programme support services

48. The Registry provides personnel and financial administration, resource planning and use of common services in the implementation of the activities of the Tribunal.

Contractual services and external printing

49. The need for interpretation services cannot be accurately predicted until the judges decide upon their working arrangements. However, on the assumption that interpretation may be required for approximately 50 days each year during

their consultations, it is proposed that $147,900 be provided for contractual interpretation. Provision for contractual translation ($105,700) is also proposed for an estimated 150 days of translation each year as the volume of documentation of the Tribunal may exceed the capacity of its proposed temporary staff. It is also proposed to provide $352,800 for the external printing requirements of the Tribunal.

Rental and maintenance of premises

50. As can be noted from paragraph 14 above, in view of time constraints in making arrangements for the permanent seat of the Tribunal, interim arrangements were made for the holding of its inaugural meeting on 17 November 1993. Efforts have continued, however, to identify appropriate office space in The Hague or elsewhere, bearing in mind the proposed staffing component of the Tribunal. One option being considered is to seat the Tribunal in the Aegon building in The Hague. The Office of General Services has visited the premises and has reported that the west wing of the building appears to be suitable to accommodate the Tribunal's office space but it lacks space for a Trial Chamber. On the basis of discussions with the owners of the building and representatives of the Government of the Netherlands, an offer has been made that, were the United Nations to enter into a four-year lease for premises in the Aegon building, the provisional rental cost of 4,433 square metres of space would be $430,000 for 1994 and $460,000 for 1995. In subsequent years the rent would be subject to annual adjustment on the basis of movements in the consumer price index (CPI) maintained by the Central Bureau of Statistics of the Netherlands. The host Government has indicated its willingness to absorb the rental costs until 30 June 1994 and to make alterations to the building that would be necessary for security purposes and wheel-chair accessibility. Under such an arrangement, resources of $675,000 would be required for rental costs until 31 December 1995. In addition to rental cost, it is estimated that $344,400 would be required for utilities ($134,100), cleaning and maintenance charges ($166,300) and the provision of underground parking space for 20 vehicles ($44,000).

51. As regards a Trial Chamber, the possibility of constructing one in another area of the Aegon building is being considered. It is also proposed, however, to continue a search in 1994 for an existing courtroom which could be utilized for trials without extensive outlays of capital or rental costs. Consequently, resources are not requested to provide for the rental of a courtroom at this time.

Rental and maintenance of equipment and miscellaneous services

52. Requirements of $173,200 are proposed to cover the rental and maintenance of equipment that would be utilized by the Tribunal. It is also estimated that $21,200 would be required to provide for miscellaneous services such as bank charges, vehicle insurance and freight charges.

Communications

53. On the basis of the expenditure pattern of other United Nations activities, it is proposed to provide $261,000 for the communications requirements of the Tribunal during the biennium.

Supplies and materials

54. Provision of $264,000 is proposed to cover supplies and materials requirements of the Tribunal.

Furniture and equipment

55. The requirements for furniture and equipment proposed would cover the following: (a) acquisition of furniture and basic office equipment for the Tribunal ($546,900); (b) data-processing equipment, software and cabling for an estimated 100 users ($877,900); (c) 4 vehicles (2 official cars and 2 general purpose vehicles) for use in The Hague, in view of security concerns ($215,200); (d) conference-servicing and reproduction equipment ($177,400); and (e) video and sound recordings equipment ($292,000).

F. Summary of 1994-1995 requirements

56. On the basis of the activities and assumptions described above, it is estimated that resources in the amount of $33,200,000 would be required in the biennium 1994-1995. These requirements are summarized on the following pages. Table 2 contains details of the proposed resources and the proposed staffing table (excluding the 11 judges and conference-servicing staff proposed for 1995) is presented in table 3. Annex I presents the titles, levels and number of posts, contained in table 3, while annex II provides information in respect of conference-servicing staff proposed for 1995 (excluding staff requirements in the event verbatim records are required).

Table 2

REQUIREMENTS IN 1994-1995

(In thousands of United States dollars)

A. The Chambers	
Salaries and allowances of judges	3 238.8
Common costs (judges)	531.2
Travel on official business	21.2
Experts/consultants	50.0
Temporary posts	598.8
Total A	4 440.0
B. Office of the Prosecutor	
Temporary posts	11 146.9
General temporary assistance	115.5
Overtime	43.0
Experts/consultants	100.0
Travel of witnesses	244.4
Travel of staff	107.9
Data-processing services	60.0
Total B	11 817.7
C. Registry	
Temporary posts	4 736.1
Temporary assistance for meetings	4 453.0
General temporary assistance	1 487.7
Overtime	46.5
Personal service contracts	282.3
Travel of staff	21.2
Hospitality	10.0
Total C	11 036.8
D. Defence Counsel	
General temporary assistance	1 400.9
Travel of accused	50.0
Total D	1 450.9

E. Programme support

Contractual translation	105.7
Contractual interpretation	147.9
External printing	352.8
Rental and maintenance of premises	885.3
Utilities	134.1
Rental and maintenance of equipment	173.2
Communications	261.0
Miscellaneous services	21.2
Supplies and materials	264.0
Furniture and fixtures	546.9
Data-processing equipment	877.9
Conference-servicing equipment	177.4
Public information equipment	292.0
Vehicles	215.2
Total E	4 454.6
Grand total (A, B, C, D and E)	33 200.0

Table 3

PROPOSED STAFFING STRUCTURE OF THE INTERNATIONAL TRIBUNAL FOR 1994-1995

	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	Total	GS	SS	Total	Grand total
1. The Chambers a/	-	-	-	-	-	-	-	-	-	6	-	6	6
2. The Prosecutor	1	-	1	2	11	13	10	8	46	21	-	21	67
3. The Registry b/	-	1	-	-	4	4	2	-	11	12	12	24	35
4. Defence Counsel	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	1	1	1	2	15	17	12	8	57	39	12	51	108

a/ Excludes 11 judges.

b/ Excludes 28 Professionals and 28 General Service conference-servicing posts proposed under temporary assistance for meetings for 1995.

IV. OTHER POSSIBLE REQUIREMENTS OF THE TRIBUNAL

57. At the time of preparation of the report of the Secretary-General to the Security Council (S/25704/Add.1), the Secretary-General informed the Council that a number of issues were unclear at that time such as detention facilities before and during trials and imprisonment. Upon further discussions with the Government of the Netherlands, other costs associated with the operation of the Tribunal that are likely to arise have been discussed, such as the operating costs of the detention facilities (food, heating, electricity, laundry, communications). It is also foreseen that, in view of security concerns, additional requirements would arise in 1994-1995, dependent on the level of activities of the Tribunal during the biennium. The question of the rental requirements for a suitable courtroom referred to in paragraph 51 is another aspect of the operation of the Tribunal that would be likely to warrant additional requirements in 1994-1995.

58. Requirements for verbatim records have not been requested at this time as their provision is dependent upon a decision by the judges after the rules of procedure and evidence of the Tribunal have been formulated as to the admissibility of tape-recorded evidence in appeals proceedings. If verbatim records are required, it is estimated that additional conference-servicing staff of 21 Professional and 11 General Service staff would be needed.

59. Any such additional requirements associated with the Tribunal arising during 1994 would be requested in the context of revised estimates at the forty-ninth session of the General Assembly, at which time the Secretary-General would have the benefit of several months of operation of the Tribunal and a number of factors, such as the seat of the Tribunal, should have been decided.

V. FINANCING OF THE TRIBUNAL

60. As indicated above, the General Assembly, in its resolution 47/235:

> "Requests the Secretary-General to present, during the forty-eighth session of the General Assembly and before 31 December 1993, detailed cost estimates for the International Tribunal, separate from the proposed regular budget for the biennium 1994-1995, to be financed by assessed contributions and, pending a final decision on the manner of the apportionment of the expenses of the International Tribunal, to finance its activities through a separate account outside the regular budget;
>
> "Invites Member States and other interested parties to make voluntary contributions to the International Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General."

61. Accordingly, it will be necessary for the Assembly to decide not only on the level of resources to be made available for the Tribunal but also the means of financing it. It is the Secretary-General's view that the nature of the activities to be undertaken require its core financing through assessed contributions, albeit supplemented by voluntary contributions as available.

This is consistent with the position taken by the General Assembly in its resolution 47/235.

62. That resolution does not preclude the possibility of the Assembly deciding to charge the costs of the Tribunal to the regular budget. In the absence of such a decision, however, it will be necessary for the Assembly to authorize the establishment of a separate account outside the regular budget, appropriate resources under that account for 1993 and for 1994-1995, decide on the apportionment of the related expenses and approve assessments on Member States. In addition, it would be necessary to authorize the Secretary-General to advance funds to the Account from the General Fund pending receipt of assessed contributions since commitments have already been entered into in 1993.

VI. CONCLUSIONS

63. As has been indicated in paragraphs 22 and 56 above, the estimated requirements of the Tribunal are $450,800 and $33,200,000 for the bienniums 1992-1993 and 1994-1995 respectively. It should also be noted that, in respect of the requirements for 1994-1995, they are subject to revision after a number of issues have been defined or agreements have been reached on certain aspects.

64. Requirements for staff assessment in respect of the posts proposed for the Tribunal are estimated at $4,753,300 and would be offset in the same amount by income from staff assessment.

65. Pursuant to General Assembly resolution 47/235, in which it was decided that, pending a final decision on the matter of the apportionment of the expenses of the Tribunal, its activities should be financed through a separate account outside the regular budget, the Secretary-General presents the estimated requirements of $33,650,800 for the Tribunal to the General Assembly, for approval and for its decision on the method of financing.

Annex I

CORE STAFFING TABLE OF THE INTERNATIONAL TRIBUNAL

THE HAGUE 1994-1995

Description	Level	Number of posts
THE CHAMBERS		
Secretaries of judges	G-4	6
Total		6
OFFICE OF THE PROSECUTOR		
Prosecutor	USG	1
Deputy Prosecutor	D-2	1
Special Assistant	P-5	1
Secretary	GS/PL	1
Prosecutor	D-1	1
Prosecutors	P-5	4
Prosecutors	P-4	6
Prosecutors	P-3	4
Prosecutors	P-2	4
Investigator	D-1	1
Investigators	P-5	6
Investigators	P-4	6
Investigators	P-3	5
Investigators	P-2	4
Information Officer	P-4	1
Programmer/Analyst	P-3	1
General Service staff	G-4	20
Total		67
THE REGISTRY		
Registrar	ASG	1
Chief of Administration	P-5	1
Legal Officers	P-5	3
Chief of Security	P-4	1
Personnel Officer	P-4	1
Budget/Finance Officer	P-4	1
Building Management Officer	P-4	1
Purchase/Transport Officer	P-3	1
Computer Operations Officer	P-3	1

Description	Level	Number of posts
Security Guards/Drivers	G-4	12
General Service staff	G-4	12
Total		35
Grand Total (excluding 11 judges)		108

Annex II

CONFERENCE-SERVICING STAFF

1995 ONLY

Description	Level	Number of posts
Head of conference services	P-5	1
Chief, Meetings Servicing	P-3	1
Revisers	P-5	5
Interpreters	P-4	10
Terminologists	P-4	2
Documents Control Officer	P-4	1
Translators	P-3	8
Subtotal		28
Reference clerks	GS/PL	2
Conference Officer	GS/PL	1
Documents control clerks	GS/PL	4
Supervisor, Text processors	GS/PL	1
Sr. Document distribution clerk	GS/PL	1
Reproduction clerks	G-5	2
Text processors	G-5	8
Documents distribution clerks	G-4	4
Secretaries	G-4	5
Subtotal		28
Grand total		56